

IN THE SENATE

SENATE BILL NO. 1192

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE CAPITOL MALL; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY  
2 THE ADDITION OF A NEW SECTION 67-5709B, IDAHO CODE, TO PROVIDE THAT THE  
3 ADMINISTRATOR OF THE DIVISION OF PUBLIC WORKS SHALL DEVELOP FACILITIES  
4 IN THE CAPITOL MALL AND TO CREATE A PROCESS FOR EXEMPTING CAPITOL MALL  
5 FACILITIES FROM PLANNING AND ZONING RESTRICTIONS; AND DECLARING AN  
6 EMERGENCY.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 57, Title 67, Idaho Code, be, and the same is  
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
11 ignated as Section 67-5709B, Idaho Code, and to read as follows:

12 67-5709B. DEVELOPMENT OF FACILITIES. To the extent funds are avail-  
13 able therefor, the administrator of the division of public works shall  
14 develop state-owned facilities or facilities constructed through the state  
15 building authority within the state capitol mall. The state capitol mall  
16 shall include the capitol mall properties set forth in section 67-5709,  
17 Idaho Code, or in rules promulgated pursuant thereto. Notwithstanding any  
18 other provisions of law to the contrary, the director of the department of  
19 administration, subject to the approval of the permanent building fund ad-  
20 visory council, may exempt facilities within the capitol mall from local  
21 land use planning ordinances established pursuant to chapter 65, title 67,  
22 Idaho Code. Neither the designation of facilities as exempt from local land  
23 use planning ordinances by the director nor the approval of the permanent  
24 building fund advisory council shall be subject to judicial review under the  
25 provisions of chapter 52, title 67, Idaho Code.

26 SECTION 2. An emergency existing therefor, which emergency is hereby  
27 declared to exist, this act shall be in full force and effect on and after its  
28 passage and approval.